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05/09/01

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Robert De Leys  
Bart Vanderborgh  
Eric Saman  
Hugo Van Heuverswyn

Serial No.:

Filed: May 9, 2001

For: PROCESS FOR DETECTING HIV-3  
RETROVIRUS (Amended)

Group Art Unit:

Examiner:

Atty. Dkt. No.: 11362.0025.DVUS03  
INNS:025-3

**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
Washington, D.C. 20231

CERTIFICATE OF EXPRESS MAIL

NUMBER EL521279522US

DATE OF DEPOSIT May 9, 2001

I hereby certify that this paper or fee is being deposited with the United States Postal Service "EXPRESS MAIL POST OFFICE TO ADDRESSEE" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to: Commissioner for Patents, Washington, D.C. 20231.

  
Signature

Sir:

In compliance with the duty of disclosure under 37 C.F.R. § 1.56, it is respectfully requested that this Information Disclosure Statement be entered and the documents listed on attached Form PTO-1449 be considered by the Examiner and made of record.

In accordance with 37 C.F.R. §§ 1.97(g),(h), this Information Disclosure Statement is not to be construed as a representation that a search has been made, and is not to be construed to be an admission that the information cited is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b).

The present Information Disclosure Statement is being filed prior to the receipt of a first Official Action reflecting an examination on the merits, and hence is believed to be timely filed in accordance with 37 C.F.R. § 1.97(b). No fees are believed to be due in connection with the filing of this Information Disclosure Statement, however, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be deemed necessary for any reason relating to these materials, the Commissioner is hereby authorized to deduct said fees from Deposit Account No. 01-2508/11362.0025.DVUS03.

This application is a continuation application of Serial Nos. 09/379,270, filed August 23, 1999, which is a continuation of 08/900,902, filed July 25, 1997, which is a divisional of Serial No. 08/486,836 filed June 7, 1995 and relied upon for an earlier filing date under 35 U.S.C. § 120. In accordance with Rule 37 C.F.R. § 1.98(d), copies of the listed documents are not enclosed as they have been previously cited by or submitted to the Patent and Trademark Office in prior application Serial Nos. 09/379,270, 08/900,902, and 08/486,636.

Applicants respectfully request that the listed documents be made of record in the present case.

Respectfully submitted,



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Date: May 9, 2001

Form PTO-1449 (modified)		Atty. Docket No. INNS:025-3	Serial No.
List of Patents and Publications for Applicant's  INFORMATION DISCLOSURE STATEMENT  (Use several sheets if necessary)		Applicant De Leys/Vanderborgh/Saman/Heuverswyn	
		Filing Date: May 9, 2001	Group:
U.S. Patent Documents <i>See Page 1</i>	Foreign Patent Documents <i>See Page 1</i>	Other Art <i>See Page 1</i>	

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### U.S. Patent Documents

Exam. Init.	Ref. Des.	Document Number	Date	Name	Class	Sub Class	Filing Date of App.
	A1	4,839,288	06/13/89	Montagnier	435	235	
	A2	5,066,782	11/19/91	Montagnier et al.	530	324	01/10/90
	A3	5,567,603	10/1996	De Leys et al.	435	235.1	

### Foreign Patent Documents

Exam. Init.	Ref. Des.	Document Number	Date	Country	Class	Sub Class	Translation Yes/No
	B1	239,425	09/30/87	EPO			
	B2	86/02383	04/24/86	WIPO			

### Other Art (Including Author, Title, Date Pertinent Pages, Etc.)

Exam. Init.	Ref. Des.	Citation
	C1	Rayfield et al., <i>Emerging Infectious Diseases</i> 2:209-212 (1996)
	C2	Janssens et al., <i>AIDS</i> 8:1012-1013 (1994)
	C3	Simon et al., <i>AIDS</i> 8:1628-1629 (1994)
	C4	Gürtler et al., <i>Journal of Virology</i> 68:1581-1585 (1994)
	C5	Vanden Haesevelde et al., <i>Journal of Virology</i> 68:1586-1596 (1994)
	C6	Franchini et al., "Genetic Analysis of a New Subgroup of Human and Simian T-lymphotropic Retroviruses: HTLV-IV, LAV-2, SBL-6669, and STLV-III <sub>AGM</sub> ," <i>AIDS Research and Human Retroviruses</i> 23(1):11-17 (1987)
	C7	Clavel et al., "Isolation of a New Human Retrovirus from West Africa Patients with AIDS," <i>Science</i> 233:343-346 (1986)
	C8	Clavel et al., "Molecular Cloning and Polymorphism of the Human Immune Deficiency Virus Type 2," <i>Nature</i> 324(18):691-695 (1986)

EXAMINER:

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EXAMINER: INITIAL IF REFERENCE CONSIDERED, WHETHER OR NOT CITATION IS IN CONFORMANCE WITH MPEP609; DRAW LINE THROUGH CITATION IF NOT IN CONFORMANCE AND NOT CONSIDERED. INCLUDE COPY OF THIS FORM WITH NEXT COMMUNICATION TO APPLICANT.

*INFORMATION DISCLOSURE STATEMENT — PTO-1449 (MODIFIED)*

Form PTO-1449 (modified)		Atty. Docket No. INNS:025--3	Serial No.
List of Patents and Publications for Applicant's  INFORMATION DISCLOSURE STATEMENT  (Use several sheets if necessary)		Applicant De Leys/Vanderborgh/Saman/Heuverswyn	
		Filing Date: May 9, 2001	Group:
U.S. Patent Documents <i>See Page 1</i>	Foreign Patent Documents <i>See Page 1</i>	Other Art <i>See Page 1</i>	

### Other Art (Including Author, Title, Date Pertinent Pages, Etc.)

Exam. Init.	Ref. Des.	Citation
	C9	Guyader et al, "Genome Organization and Transactivation of the Human Immunodeficiency Virus Type 2," <i>Nature</i> 326:662-669 (1987)
	C10	Hahn et al., "Relation of HTLV-4 to Simian and Human Immunodeficiency-associated viruses," <i>Nature</i> 330:184-186 (1987)
	C11	Fukasawa et al., "Sequence of Simian Immunodeficiency Virus from Africa Green Monkey, a New Member of the HIV/SIV Group," <i>Nature</i> 333(6172):457-461 (1988)

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